The following is an Examiner's Amendment in response to an interview held with Dr. Vakili on March 22, 2010. Claims 1-3, 9-11, 15-17, 21-23 and 41 are amended, Claims 4, 12, 18, 26-40, 42 and 44 are canceled herein. Currently claims 1-3, 5-11, 13-17, 19-25, 41 and 43 are pending and allowed below.

EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on March 22, 2020, with Dr. Kamran Vakili. Dr. Vakili stated that an extension of time was filed March 22, 2010 and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Amendments to the claims:

This listing of claims will replace all prior versions and listings of claims in this application.

1.   (Currently Amended) An apparatus for evaluating travel accommodations, comprising:

        a processor;

a memory in communication with the processor and containing program instructions, wherein the processor executes program instructions contained in the memory and the program instructions comprise:

identify a plurality of hotel properties, each identified hotel property being associated with a hotel property identifier stored in the memory;

determine a cluster center based on geographic latitude and longitude coordinates;

determine a cluster radius associated with the cluster center based on a population density associated with the cluster center;

determine a hotel distance between a position of at least one of the plurality of hotel properties and the cluster center;

associate the at least one of the plurality of hotel properties with the cluster center when the hotel distance is less than the cluster radius;

receive input to the processor user selection of a desired one or more rating input characteristics associated with at least one of the plurality of hotel properties, the rating input characteristics including rate competitiveness, hotel availability, hotel location within a cluster location, and hotel quality within a cluster location;

determine by the processor a hotel marketability index score for the at least one of the plurality of hotel properties, the hotel marketability index score comprising an ordinal quantifier and being based on ~~the desired one or more~~ a weighted combination of at least two rating input characteristics associated with ~~one or more~~ the at least one of the plurality of hotel properties.

wherein weights for the weighted combination are based on a location of the at least one of the plurality of hotel properties relative to the cluster center; and

store the hotel marketability index score in association with a hotel property identifier corresponding to the at least one of the plurality of hotel properties in the memory.

2.   (Currently Amended) The apparatus of Claim 1, wherein ~~the hotel marketability index score is determined based on two or more rating input characteristics and one or more~~ at least one of the rating input characteristics ~~associated with one or more of the hotel properties are selected and weighted more~~ has a different weight than ~~one or more of the~~ at least one other rating input ~~characteristics~~ characteristic such that the hotel marketability index score is affected.

3.   (Currently Amended) The apparatus of Claim 1, further comprising:

collect external data associated with ~~one or more of~~ the at least one of the plurality of hotel properties via a communications network, the external data being used to determine the hotel marketability index score.

4.   (Canceled)

5.   (Previously Amended) The apparatus of Claim 1, wherein the hotel quality is based on a star quality system provided by one or more reviewing entities.

6.   (Previously Amended) The apparatus of Claim 1, wherein the apparatus for evaluating travel accommodations is accessible via a web site that is operable to display one or more web pages to an end user, wherein the apparatus is configured for use in conjunction with navigating the web site.

7.   (Previously Amended) The apparatus of Claim 1, wherein data included in the memory admits modification by a system administrator.

8.   (Previously Amended) The apparatus of Claim 1, further comprising:

        normalize data associated with the rating input characteristics, wherein normalizing removes extraneous values included within the data.

9.   (Currently Amended) A processor-implemented method for evaluating travel accommodations, comprising:

        identifying a plurality of hotel properties, each identified hotel property being associated with a hotel property identifier stored in a memory;

        determining a cluster center based on geographic latitude and longitude coordinates;

        determining a cluster radius associated with the cluster center based on a population density associated with the cluster center;

        determining a hotel distance between a position of at least one of the plurality of hotel properties and the cluster center;

        associating the at least one of the plurality of hotel properties with the cluster center when the hotel distance is less than the cluster radius;

receiving input to the processor user selection of a desired one or more rating input characteristics associated with at least one of the <u>plurality of</u> hotel properties, the rating input characteristics including rate competitiveness, hotel availability, hotel location within a cluster location, and hotel quality within a cluster location;

determining by the processor a hotel marketability index score for at least one of the plurality of hotel properties, the hotel marketability index score comprising an ordinal quantifier and being based on ~~the desired one or more~~ <u>a weighted combination of at least two</u> rating input characteristics associated with ~~one or more~~ <u>the at least one</u> of the <u>plurality of</u> hotel properties<u>,</u>

<u>wherein weights for the weighted combination are based on a location of the at least one of the plurality of hotel properties relative to the cluster center</u>; and

storing the hotel marketability index score in association with a hotel property identifier corresponding to the at least one of the plurality of hotel properties in the memory.

10. (Currently Amended) The method of Claim 9, wherein ~~determining by the processor a hotel marketability index score is based on two or more rating input characteristics, and further comprising:~~

~~weighting one or more~~ <u>at least one</u> of the rating input characteristics ~~associated with one or more of the hotel properties more than one or more of the~~ <u>has a different weight than at least one</u> other rating input ~~characteristics~~ <u>characteristic</u> such that the hotel marketability index score is affected.

11. (Currently Amended) The method of Claim 9, further comprising:

collecting external data associated with ~~one or more of~~ the <u>at least one of the plurality</u> <u>of</u> hotel properties via a communications network, the hotel marketability index score being calculated by the processor based on the external data.

12.   (Canceled)

13.   (Original) The method of Claim 9, further comprising:

providing a web site that is operable to display one or more web pages to an end user, the web pages including the hotel marketability index score.

14.   (Previously Amended) The method of Claim 9, further comprising:

normalizing data associated with the rating input characteristics, wherein normalizing removes extraneous values included within the data.

15.   (Currently Amended) A processor-implemented system for evaluating travel accommodations, comprising:

means for identifying a plurality of hotel properties, each identified hotel property being associated with a hotel property identifier stored in a memory;

<u>means for determining a cluster center based on geographic latitude and longitude</u> <u>coordinates;</u>

<u>means for determining a cluster radius associated with the cluster center based on a</u> <u>population density associated with the cluster center;</u>

means for determining a hotel distance between a position of at least one of the plurality of hotel properties and the cluster center;

means for associating the at least one of the plurality of hotel properties with the cluster center when the hotel distance is less than the cluster radius;

means for receiving input to the processor user selection of a desired one or more rating input characteristics associated with at least one of the plurality of hotel properties, the rating input characteristics including rate competitiveness, hotel availability, hotel location within a cluster location, and hotel quality within a cluster location;

means for determining by the processor a hotel marketability index score for at least one of the plurality of hotel properties, the hotel marketability index score comprising an ordinal quantifier and being based on ~~the desired one or more~~ a weighted combination of at least two rating input characteristics associated with ~~one or more~~ the at least one of the plurality of hotel properties; and

means for storing the hotel marketability index score in association with a hotel property identifier corresponding to the at least one of the plurality of hotel properties in the memory.

16.   (Currently Amended) The system of Claim 15, wherein ~~the hotel marketability index score is based on two or more rating input characteristics, and further comprising:~~

~~means for weighting one or more~~ at least one of the rating input characteristics ~~associated with one or more of the hotel properties more than one or more of the~~ has a different weight than at least one other rating input ~~characteristics~~ characteristic such that the hotel marketability index score is affected.

17.   (Currently Amended) The system of Claim 15, further comprising:

means for collecting external data associated with ~~one or more of~~ the <u>at least one of</u> <u>the plurality of</u> hotel properties via a communications network, the external data being used to determine the hotel marketability index score.

18.   (Canceled)

19.   (Original) The system of Claim 15, further comprising:

means for providing a web site that is operable to display one or more web pages to an end user, the web pages including the hotel marketability index score.

20.   (Previously Amended) The system of Claim 15, further comprising:

means for normalizing data associated with the rating input characteristics, wherein normalizing removes extraneous values included within the data.

21.   (Currently Amended) A processor readable medium, comprising:

processor readable instructions stored in the processor readable medium, wherein the processor readable instructions are issuable by a processor to:

identify a plurality of hotel properties, each identified hotel property being associated with a hotel property identifier stored in a memory;

<u>determine a cluster center based on geographic latitude and longitude</u> <u>coordinates;</u>

determine a cluster radius associated with the cluster center based on a population density associated with the cluster center;

determine a hotel distance between a position of at least one of the plurality of hotel properties and the cluster center;

associate the at least one of the plurality of hotel properties with the cluster center when the hotel distance is less than the cluster radius;

receive input to the processor a user selection of desired one or more rating input characteristics associated with at least one of the plurality of hotel properties, the rating input characteristics including rate competitiveness, hotel availability, hotel location within a cluster location, and hotel quality within a cluster location;

determine by the processor a hotel marketability index score for at least one of the plurality of hotel properties, the hotel marketability index score comprising an ordinal quantifier and being based on ~~the desired one or more~~ a weighted combination of at least two rating input characteristics associated with ~~one or more~~ the at least one of the plurality of hotel properties; and

store the hotel marketability index score in association with a hotel property identifier corresponding to the at least one of the plurality of hotel properties in the memory.

22.   (Currently Amended) The computer readable medium of Claim 21, wherein ~~the code is further operable to:~~

~~determine the hotel marketability index score based on two or more rating input characteristics; and~~

weight one or more ~~at least one~~ of the rating input characteristics ~~associated with one or more of the hotel properties more than one or more of the~~ has a different weight than at least one other rating input ~~characteristics~~ characteristic such that the hotel marketability index score is affected.

23.   (Currently Amended) The computer readable medium of Claim 21, wherein the code is further operable to:

collect external data associated with ~~one or more of~~ the at least one of the plurality of hotel properties via a communications network, the external data being used to determine the hotel marketability index score.

24.   (Original) The computer readable medium of Claim 21, wherein the code is further operable to:

provide a web site that is operable to display one or more web pages to an end user, the web pages including the hotel marketability index score.

25.   (Previously Amended) The computer readable medium of Claim 21, wherein the code is further operable to:

modify data associated with the characteristics such that the data is normalized in order to account for extraneous values included within the data.

26-40 (Canceled)

41.   (Currently Presented) The method of Claim 9, wherein the rating input characteristics are at least one of the hotel location within a cluster location and the hotel quality within a cluster location, ~~and further comprising:~~

~~associating a hotel property of the plurality of hotel properties via the processor with a cluster location, by:~~

~~selecting a cluster center;~~

~~querying a distance threshold value;~~

~~determining a hotel distance between a position of the hotel property and the cluster center; and~~

~~associating the hotel property with the cluster location if the hotel distance is less than the distance threshold value.~~

42.   (Canceled)

43.   (Previously Presented) The method of claim 41, wherein the rating input characteristics are the hotel location within a cluster location, and wherein the hotel marketability index score is based on the hotel distance.

44.   (Canceled)

ALLOWANCE

The following is an Allowance in response to an interview held with Dr. Vakili on

March 22, 2010. Claims 1-3, 9-11, 15-17, 21-23 and 41 are amended above. Claims 4,

12, 18, 26-40, 42 and 44 are canceled above. Currently claims 1-3, 5-11, 13-17, 19-25,

41 and 43 are pending and allowed below.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance.

The present invention is directed to a system and method for evaluating travel

accommodations based on a marketability index score based at least in part on a

weighted combination of at least two user selected rating characteristics associated with

one or more the at least one of the plurality of hotel properties, including rate

competitiveness, hotel availability, hotel location within a cluster location, and hotel

quality within a cluster location wherein weights for the weighted combination are based

on a location of the at least one of the plurality of hotel properties relative to the cluster

center wherein the cluster center based on a population density associated with the

cluster center.

The closest prior art Kwoh, U.S. Patent Publication No. 2001/0034625, Ramesh

et al., U.S. Patent Publication No. 2007/0179791, Schneider et al., U.S. Patent No.

5,832,452 Young et al., U.S. Patent Publication No. 2004/00098287, Willis, U.S. Patent

No. 5,893,093 and Carro, U.S. Patent No. 7,007,228 fail to teach or suggest either singularly or in combination teach a system, method or apparatus for evaluation travel accommodations comprising: identifying a plurality of hotel properties, each identified hotel property being associated with a hotel property identifier; determining a cluster center based on geographic latitude and longitude coordinates; determining a cluster radius associated with the cluster center based on a population density associated with the cluster center; determining a hotel distance between a position of at least one of the plurality of hotel properties and the cluster center; associating the at least one of the plurality of hotel properties with the cluster center when the hotel distance is less than the cluster radius; receiving a user selection of a desired one or more rating input characteristics associated with at least one of the plurality of hotel properties, the rating input characteristics including rate competitiveness, hotel availability, hotel location within a cluster location, and hotel quality within a cluster location; determining a hotel marketability index score for the at least one of the plurality of hotel properties, the hotel marketability index score comprising an ordinal quantifier and being based on the desired one or more a weighted combination of at least two rating input characteristics associated with one or more the at least one of the plurality of hotel properties, wherein weights for the weighted combination are based on a location of the at least one of the plurality of hotel properties relative to the cluster center as recited in independent Claims 1, 9, 15 and 21.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624